

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHRISTIANA PAOLI, :  
 :  
 Plaintiff, :  
 :  
 v. : C.A. No.: 07-419 GMS  
 :  
 CITY OF LEWES, LEWES POLICE :  
 DEPARTMENT and BRUCE RITTER, :  
 :  
 Defendants. :

**DEFENDANT BRUCE RITTER'S MOTION TO STAY PROCEEDINGS  
AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF**

Pursuant to the Service Members Civil Relief Act, 50 U.S.C. app. § 522(b)(1)(2), Defendant Bruce Ritter moves to Stay the Proceedings in this case until his return from deployment in Iraq. In support of his Motion, Defendant Ritter states as follows:

1. Plaintiff filed this action on July 2, 2007. She alleges that Defendant Ritter, a police officer employed by Defendant City of Lewes, deprived her of civil liberty without due process of law and violated her Fourth, Fifth and Fourteenth Amendment rights by damaging her property and falsely charging her with crimes during the period between July, 2006 and June 2007.

2. Defendants filed an Answer and Affirmative Defenses denying plaintiff's allegations on July 24, 2007. (D.I. 5.)

3. On November 7, 2007 Daniel A. Griffith, Esquire withdrew as counsel for defendant Ritter and undersigned counsel entered his appearance on behalf of defendant Ritter. (D.I. 8.)

4. Defendant Ritter is a member of the Delaware National Guard. His National Guard Unit is currently deployed in Iraq. The Unit is expected to complete its deployment in July, 2008. (Affidavit of Col. Scott E. Chambers, Exhibit A attached hereto.)

5. Defendant Ritter's superior officer has certified that current military duty requirements materially affect his ability to appear and that it cannot be determined when and if he will be entitled to military leave. (Exhibit A).

**WHEREFORE**, Defendant Bruce Ritter requests that the case be stayed until July 30, 2008.

**AKIN & HERRON, P.A.**

/s/ Bruce C. Herron  
Bruce C. Herron  
Attorney I.D. No.: 2315  
1500 Shallcross Avenue  
Suite 1-A  
Wilmington, DE 19806  
302-427-6987  
Attorney for Defendant  
Bruce Ritter

Dated: November 28, 2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHRISTIANA PAOLI,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No.: 07-419 GMS
	:	
CITY OF LEWES, LEWES POLICE	:	
DEPARTMENT and BRUCE RITTER,	:	
	:	
Defendants.	:	

ORDER

Defendant Bruce Ritter's Motion to Stay Proceedings pursuant to 50 U.S.C. app. § 522(b)(1)(2) is hereby **GRANTED**. This case will be stayed until July 30, 2008.

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Judge Gregory M. Sleet

Dated:

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FOR THE STATE OF DELAWARE

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 CITY OF LEWES, LEWES POLICE :  
 DEPARTMENT and BRUCE RITTER, :  
 :  
 Defendants. :

NOTICE OF SERVICE

I hereby certify that on this 28<sup>th</sup> day of November, 2007,  
DEFENDANT BRUCE RITTER'S MOTION TO STAY PROCEEDINGS AND  
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF was  
electronically filed with the United States District Court and  
was mailed first class to the following parties listed below:

Daniel A. Griffith, Esquire  
Marshall, Dennehey, Warner,  
Coleman & Goggin  
1220 North Market Street  
Fifth Floor  
P.O. Box 8888  
Wilmington, DE 19899-8888

Christiana Paoli  
600 Third Street  
P.O. Box 170  
Rehoboth Beach, DE 19971

AKIN & HERRON, P.A.

/s/ Bruce C. Herron  
Bruce C. Herron  
1500 Shallcross Avenue  
Suite 1-A  
Wilmington, DE 19806  
(302) 427-6989  
Attorney for Defendant Bruce Ritter

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 :  
 Defendants. :

AFFIDAVIT OF COLONEL SCOTT E. CHAMBERS

STATE OF DELAWARE :  
 : SS.  
 KENT COUNTY :

BE IT REMEMBERED on this 26<sup>th</sup> day of November, 2007, Colonel  
Scott E. Chambers did come before me and say the following:

1. I am a Colonel in the Delaware National Guard. I currently serve as Brigade Commander for the 72<sup>nd</sup> Troop Command.
2. Bruce Ritter, the defendant in the above action, is a member of the Delaware National Guard, 72<sup>nd</sup> Troop Command. Lt. Ritter is currently deployed in Iraq. His unit is expected to complete its deployment in July, 2008.
3. Lt. Ritter's current military duty requirements materially affect his ability to appear and defend a civil suit in Delaware. Lt. Ritter will accrue two and half days of leave

per month during his time in Iraq. However, it cannot be determined when and if he would be able to take such leave because that will be determined by mission requirements in Iraq.

  
Colonel Scott E. Chambers

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public, on the day and year aforesaid.

  
Notary Public